

ORDINANCE NO. 3912

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF EDMONDS CITY CODE CHAPTER 5.14 RELATING TO CONTROLLED SUBSTANCES, PARAPHERNALIA, POISONS AND TOXIC FUMES, ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

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WHEREAS, the City of Edmonds municipal code chapter 5.14 entitled, “Controlled Substances, Paraphernalia, Poisons and Toxic Fumes,” incorporates by reference certain state statutes concerning Controlled Substances;

WHEREAS on December 6, 2012, Sam Reed, the Washington Secretary of State, certified the results of the 2012 elections; and

WHEREAS, Initiative Measure No. 502 (“I-502”), an Act Relating to Marijuana creates amends state law by changing certain criminal penalties for violation of state law; and

WHEREAS, I-502 has been codified within Chapter 69.50 of the Revised Code of Washington; and

WHEREAS, the Edmonds City Council desires to amend chapter 5.14 by incorporating by reference the codified portions of I-502 which are relevant to the City of Edmonds; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: ECC Section 5.14.010 entitled, “State statutes adopted by reference” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

**5.14.010 State statutes adopted by reference.**

The following statutes of the state of Washington, including all future amendments, are adopted by reference as if set forth in full herein:

RCW

69.43.110 Ephedrine, pseudoephedrine, phenylpropanolamine – Sales restrictions – Penalty

69.43.120 Ephedrine, pseudoephedrine, phenylpropanolamine – Possession of more than fifteen grams – Penalty – Exceptions

69.43.130 Exemptions – Pediatric products – Products exempted by the state board of pharmacy

69.50.101 Definitions

69.50.102 Drug paraphernalia – Definitions

69.50.201 ~~Authority to control~~ Enforcement of chapter – Authority to change schedules of controlled substances.

69.50.202 Nomenclature

69.50.204

(c)(1422) Schedule I – Marijuana

69.50.309 Containers

69.50.360 Marijuana Retailers, employees of retail outlets – Certain acts not criminal or civil offenses

69.50.363 Marijuana Processors, Employees – Certain Acts Not Criminal or Civil Offenses

69.50.366 Marijuana Producers, Employees – Certain Acts Not Criminal or Civil Offenses

69.50.412 Prohibited acts: E – Penalties (as amended by 2013 c 3)

69.50.4121 Drug paraphernalia—Selling or giving--Penalty

69.50.420 Violations--Juvenile driving privileges

69.50.425 Misdemeanor Violations --Minimum Penalties

69.50.445 Opening or consuming package containing marijuana, useable marijuana, or marijuana-infused product in view of general public -- Penalty

69.50.505 Seizure and forfeiture

69.50.506 Burden of proof

69.50.509 Search and seizure of controlled substances

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

  
MAYOR DAVID O. EARLING

ATTEST/AUTHENTICATED:

  
CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
JEFFREY B. TARADAY

FILED WITH THE CITY CLERK:	02-22-2013
PASSED BY THE CITY COUNCIL:	02-26-2013
PUBLISHED:	03-03-2013
EFFECTIVE DATE:	03-08-2013
ORDINANCE NO. <u>3912</u>	

## SUMMARY OF ORDINANCE NO. 3912

of the City of Edmonds, Washington

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On the 26<sup>th</sup> day of February, 2013, the City Council of the City of Edmonds, passed Ordinance No. 3912. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF EDMONDS CITY CODE CHAPTER 5.14 RELATING TO CONTROLLED SUBSTANCES, PARAPHERNALIA, POISONS AND TOXIC FUMES, ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 27<sup>th</sup> day of February, 2013.

  
CITY CLERK, SANDRA S. CHASE

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# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH

} S.S.

**SUMMARY OF ORDINANCE NO. 3912**  
of the City of Edmonds, Washington  
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AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF EDMONDS CITY CODE CHAPTER 5.14 RELATING TO CONTROLLED SUBSTANCES, PARAPHERNALIA, POISONS AND TOXIC FUMES, ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.  
The full text of this Ordinance will be mailed upon request.  
DATED this 27th day of February, 2013.  
CITY CLERK, SANDRA S. CHASE  
Published: March 3, 2013.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 3912

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

March 03, 2013

and that said newspaper was regularly distributed to its subscribers during all of said period.

*Karen E. Zorn*

Principal Clerk

Subscribed and sworn to before me this

4th

day of March, 2013

*Diana L. Hendrix*

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

